CALLING ATTENTION TO MATTER OF URGENT PUBLIC IMPORTANCE

Re: Prohibiting to Screen the film 'Karavali' South Canara District.

SRI KAGODU THIMMAPPA (Sagar).—Madam Speaker. I call the attention of the Minister of State for Information and Power to prohib ting the screening of the film "Karava'i' in South Kanara District.

SRI B. SUBBAIAH SHETTY (Minister of State for Information and Power) I state as follows.—

The Central Board of Film Censors, Government of India intimated the State Government (i) that they have received from various individuals living in Karnataka State protesting against the production of the Kannada Film based on the novel, "Karavali"; (ii) that the complainants apprehend the susceptibilities of the section of the people of the State (iii) and requested advice of State Government in the matter.

- 2. The State Government suggested to the Central Board of Film Censors that the showing of the film may be restricted to places other than South Kanara District, in view of the fact that the picture is basically one depicting the life of fisherman of South Kanara District; that in the story itself there is one incident according to which a fisherman's daughter matries a person of another religion. This suggest on to the Central Board of Film Censor was made (1) as the fisherman community in South Kanara District appears to have had worked up to a high pitch over the novel and the film.
- 3. The Central Board of Film Censor, Government of India, intimated that the film was examined by a Revising Committee in Bombay and it has been decided to grant a "U" Certiticate to the film subject to deletion of portion considered objectionable. A cert ficate issued by the Central Board of Film Censors to a film for public exhibition extends to the whole of India and the Board is not competent to order the applicant or anybody to restrict exhibition of film to a particular area or areas if any, and therefore requested to issue suitable instructions to the District authorities under the powers conferred on State Jovernment.

- 4. Section 15 of the Karnataka Cinemas (Regulation) Act 1961 empowers State Government in respect of the whole of the State or to a part thereof, and the District Magistrate in respect of the District, to suspend the exhibition of a film which is likely to cause breach of peace.
- 5. The above film is based on the novel, 'Karavali' which was published as a serial in Kannada daily "Kannada Prabha" a few years back. There were considerable protests at that time and the paper stopped to publish the serial. The film has now been prepared making some slight alterations in the ending of the story. The picture does not appear to decide the customs, manners of the ways of life of the fishermen community. However, in view of the fact that the Central Board of film Censors and Government have received several potents against the exhibition of the above film especially in South Kanara District and as the Censor Board had decided to grant 'U' Certificate to the above film after deleting portions considered objectionable, the State Government considered it necessary not to screen the picture in South Kanara District.
- 6. As the picture depicts the customs, manners and way of life of the fisherman community of the South Kanara District, Government felt that the screening of this picture in South Kanara District may give rise to bitter feel ness in the fishermen community and may give rise to law and order problem. Therefore, the Government issued instructions to the District Magistrate, South Kanara District, the Superintendent of Police, the Deputy Inspector General of Police, Southern Range, to suspend the exhibition of the film in the South Kanara District, under Section 15 of the Karnaraka Cinemas (Regulation) Act. 1964,
- ಶ್ರೀ ಕಾಗೋಡು ತಿಮ್ಮಪ್ಪ (ಸಾಗ್ರ).—ಅಧ್ಯಕ್ಷರೇ, ಈ ನರ್ಕಾರಕ್ಕೆ ತುರ್ತು ಪರಿಸ್ಥಿತಿಯ ಛಾಯೇ ಇನ್ನೂ ಹೋಗಿಲ್ಲ.
- ್ರೀ ಎಚ್. ಡಿ ದೇವೇಗೌಡ.—ಅವರಲ್ಲಿ ಯಾರನ್ನಾದರೂ ಒಬ್ಬರನ್ನೂ ಮಾಸಾದಲ್ಲ ಹಾಕುವವರೆಗೆ ಅದು ಹೋಗುವುದಿಲ್ಲ.
- ಶ್ರೀ ಕಾಗೋಡು ತಿನ್ಮುಪ್ಪ.—ಮಾನ್ಯ ನುಬ್ಬಯ್ಯ ಶೆಟ್ಟರಾ ವಕೀಲರು, ಅವರು ನಿಸಿಮಾ ರೆಗ್ಯೂರೆಷನ್ನ ಸೆಕ್ಷನ್ 1 ನನ್ನು ಎಷ್ಟರಸುಟ್ಟಿಗೆ ಅನುಸರಿಕಿ ಆಪ್ಲೆಯುನ್ನು ಹೊರಡಿಸಿದ್ದಾರೆ ಎನ್ನುವುದನ್ನು ನಾವು ಗಮನಿಸಬೇಕು. ಕಾರಣ ಏನೆಂಸರೆ, ಮೂಲಭೂತ ವಾಗಿ ಎಲ್ಲಾ ಚರ್ನಿಚಿತ್ರಗಳಲ್ಲಯೂ ಯಾವುದಾದರೂ ಒಂದು ಜಾತಿಯ ಪ್ರಸ್ತಾಪ ಇದ್ವೇ ಇರುತ್ತದೆ. ಇಲ್ಲಯೂ ಫಿಷರ್ಮನ್ ಎಂದು ಹೇಳಿದ್ದಾರೆ. ಮಾನು ಹಿಡಿಯುವವರು ಎಲ್ಲಾ ಜಾತಿಗೆ ಹೇರಿದವರೂ ಇರುತ್ತಾರೆ ಇದರ ಬಗ್ಗೆ ತಮಗೆ ಅನ್ನಯವಾಗುವ ಹಾಗೆ ಊಹೆ ವ ಡಿಕೊಳ್ಳವುದು ಮೊದಲನೆಯ ಮೂರ್ಖಕನ 'ಸಂಸ್ಕಾರ' ಚಿತ್ರವನ್ನು ಪ್ರದರ್ಶನ ಮಾಡಿದಾಗ ಮಾಧ್ಯರು ಇದನ್ನು ಪ್ರದರ್ಶನ ಮಾಡಿಕೂಡದು ಎಂದು ವಿರೋಧ ಮಾಡಿದರು. ಆದರೂ ಕೇಳಲ್ಲ, ಪ್ರದರ್ಶನ ಮಾಡಿದರು 'ಚೋಮನದುಡಿ' ಇದು ಹರಿಜನರಿಗೆ ಸಂಭಂದ

ಪಟ್ಟದ್ನು. ಇದನ್ನು ಏಕೆ ನೀವು ಪ್ರದರ್ಶನಕ್ಕೆ ಅಡ್ಡಿ ಮಾಡಲಲ್ಲ? ಹರಿಜನರು ಯಾರು ಕೇಳುವುದಿಲ್ಲವೆಂದು ನಿಮ್ಮ ಅಭಿಪ್ರಾಯವೇ? ಅದ್ದರಿಂದ ಎಲ್ಲಾ ಚಿತ್ರಗಳಲ್ಲಿ ಒಂದಲ್ಲ ಒಂದು ಹಾತಿಯ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆ. ಅದನ್ನು ಆಧಾರವಾಗಿಟ್ಟುಕೊಂಡು ಈ ಚಿತ್ರವನ್ನು ಪ್ರದರ್ಶನ ಮಾಡಿದರೆ ಲಾ ಮತ್ತು ಆರ್ಡರ್ ಪ್ರಶ್ನೆ ಬರುತ್ತದೆ ಎಂದು ಹೇಳುವುದು ನ್ಯಾಯವಾದುದಲ್ಲ.

ಸೇಕ್ಷನ್ 15ರ ಪ್ರಕಾರ, ಅಜ್ಞಿಯನ್ನು ಹೊರಡಿಸಿದ್ದೇವೆಂದು ಹೇಳಿದ್ದಾರೆ. ಈ ಸಂದರ್ಭದಲ್ಲಿ ಇದನ್ನು ಒದುವುದು ಒಳ್ಳೆಯುವ ಎಂದು ನಾನು ಹೇಳುತ್ತೇನೆ. ಸಕ್ಷನ್ 15ರ ಪ್ರಕಾರ ಯಾವುದಾದರೂ ಒಂದು ಚಿತ್ರವನ್ನು ಕೆಲವು ಪ್ರದೇಶಗಳಲ್ಲಿ ಪ್ರದರ್ಶನ ಮಾಡಕೂಡದು ಎಂದು ಅಜ್ಜೆಯನ್ನು ಹೊರಡಿಸುವುದಕ್ಕೆ ಸರ್ಕಾರಕ್ಕೆ ಅಧಿಕಾರ ಇವೆ. ಆವರೆ ಈ ಸೆಕ್ಷನ್ ಅನ್ನು ಉಪಯೋಗಮಾಡಬೇಕಾದರೆ ಒಂದು ಕ್ರಮಾವನ್ನು ಅನುಸರಿಸಬೇಕು ಈ ಚಿತಕ್ಕೆ ಸೆಂಬಂಧ ಪಟ್ಟವರಿಗೆ ನೋಟೀಸ್ ಕೊಡಬೇಕು, ರೀಸನಬರ್ ಅಪರ್ಚುನಿಟಿಯನ್ನು ಕೊಡಬೇಕು, ಮತ್ತು ಅವರನ್ನು ಹಿಯರ್ ಮಾಡಬೇಕು, ಇಷ್ಟು ಮಾಡಿದವೇಲೆ ಸರ್ಕಾರದವರು ಅಜ್ಞೆಯನ್ನು ಹೊರಡಿಸ ಬಹುದು. ಎಲ್ಲಾ ಕಾಲದಲ್ಲಿಯೂ ಇದನ್ನು ಮಾಡುವುದಕ್ಕೆ ಬರುವಡಿಲ್ಲ. ಕೆಲವು ಕಾಲ್ವವರಿಗೆ ಮಾತ್ರ ಈ ಅಜ್ಜೆಯನ್ನು ಸರ್ಕಾರದವರು ಹೊರಡಿಸಬಹುದು. ಸೆಕ್ಷನ್ 15 ಈ ರೀತಿಯಾಗಿದೆ.

I would like to read Clause (2) of Section 15 which says as follows:—

"(2) No order shall be issued under sub-section (1) until the person concerned has been given a reasonable opportunity of showing cause against the order proposed to be issued in regard to him; unless owing to emergency or for some other reason, to be recorded in writing, the State Government or the licensing authority is satisfied that it is not reasonably practicable to give that person an opportunity of showing cause:

Provided that a copy of the reasons recorded by the State Government or the licensing authority for issuing the order shall be communicated to the person concerned as soon as it becomes reasonably practicable to communicate the reason to him."

and Clause (5) says:

"An order issed under sub-section (1) shall remain in force for a period of two weeks from the date thereof but the State Government may, if it is of opinion that the order should continue in force, direct that the period of suspension shall be extended by such further period or periods not exceeding two months in the appregate, as it thinks fit:

Provided that the State Government or the Icensing authority may, at any time review its own order."

ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯಮಂತ್ರಿಗಳು ಹೆಕ್ಷನ್ 15ರ ಪ್ರಕಾರ ಅನುಸರಿಸಬೇಕು ಎಂದು ಆಜ್ಞೆ ಹೊರಡಿಸಿಲ್ಲ ಇದನ್ನೆ ರ್ಹ್ಲಾ ಮಾಡುವುದಕ್ಕೆ ಕಾರಣ ಏನು ಎಂದರೆ ಇವರ ಮಂತ್ರಿಮಂಡಲದಲ್ಲಿ ಯಾರೋ ಒಬ್ಬರು ಮಂತ್ರಿಗಳು ಇದ್ದಾರೆ, ಅವರ ಹೇಳಿಕೆಯಂತೆ ಮಾಡಿದ್ದಾರೆ, ಶ್ರೀಮಾನ್ ಗುಂಡೂರಾಯರು ಈ ಖಾತೆಯನ್ನು ಬಟ್ಟು ಹೋದರು, ಈಗ ಇವರು ಬಂದಮೇಲೆ ಆಗಿದೆ. ಇದು ರಾಜ್ಯಾಂಗ ಪ್ರಶ್ನೆ, ಇವರು ಕಾನೂನು ಅನುಸರಿಸದೇ ತಡೆ ಹಿಡಿದಿರುವುದು ಕಾನೂನು ಬಾಹಿರ ಕೆಲಸವಾಗಿದೆ. ಆದುದರಿಂದ ತಕ್ಷಣ ಅವರು ಹೊರಡಿಸಿರತಕ್ಕ ಅಜ್ಞೆಯನ್ನು ವಾಪನ್ನು ಪಡೆಯಬೇಕು ಎಂದು ಹೇಳುತ್ತೇನೆ.

2-00 р.м.

ಶ್ರೀ ಕೋಣಂದೂರು ಅಂಗಪ್ಪ,__ಫಿಸರ್ಮೆನೆ ಇರುವುದು ಸೌತ್ತ್ ಕೆನರಾದಲ್ಲಿ ಮಾತ್ರವೇ ಅಲ್ಲ, ಕಾರವಾರದಲ್ಲೂ ಇದ್ದಾರೆ.

SRI KAGODU THIMMAPPA.—You have taken shelter under Sec. 15 of the Ginema Regulation Act 1964. Section 15 contemplates that the parties should be given proper opportunity before taking such an action. Unless that is exercised you can't issue an order.

SRI B. SUBBAIAH SHETTY.—I understand it; I will get it examined.

SRI KAGODU THIMMAPPA.—But their directions are not in accordance with the rules contemplated in Sec. 15 of the Act.

Sai B. Subbayya Shetty.—With regard to point number one I will get it examined. But about the second point I would like to say that the party is not barred even from going to the Court of law. As far as the Government is concerned, we are going to examine it.

SRI KAGODU THIMMAPPA.—My contention is that they have not acted as per the directions contemplated under Section. 15 of the Act. They haveviolated the provisions of the law. For that they

should be penalised. I want to know at whose instance such directions have been issue, whether it is from the concerned Minister or from the Chief Minister? The Minister who is responsible for such things should be hauled up for violation of law. You must a so clarify whether instructions have been issued at the instance of the Chief Minister or the concerned Minister. Further if that action is not according to the Section. 15 of the Act what is that you are going to do?

SRI B. SUBBAYYA SHETTY.—First of all, we have to examine whether conditions laid down under Section 15 have been followed or not. That is the first question. Secondly, without going into that matter I cannot give any answer for that hypothetical question, which will not help you or anybody. There are two actions contemplated. Firstly, about the action-as to whether the procedure has been followed as a stell by the hon'ble. Momber. If procedure is followed, no action need be taken. If the required procedure is not followed then, we have to see what action has to be taken in the matter. The second point is that the party can go to a court of law and get the order quashed.

SRI KAGODO THIMMPPA.—Even to my knowel lge, they have not communicated any order to the concerned party. You have issued only the instructions to the Superintendent of Police and others. That is the first violation you have committed. You have committed a blunder.

ಆಧ್ಯಕ್ಷ್ಣೆ, ಮಾನ್ಯಮುಂತ್ರಿಗಳು ಈ ಸದನದ ಮುಂದೆ ಇದ್ನು ಪರಿಶೀಲನೆ ಮಾಡಿ ಮತ್ತೊಂದು ಹೇಳಿಕೆ ಕೊಡುತ್ತೀನೆ ಎಂದು ಹೇಳಬೇಕಾಗುತ್ತದೆ. ಒಂದು ವೇಳೆ ಇವನ್ನು ಅನು ನ೨ಂದೇ ಹೋದರೆ ಅವರ ಬಗ್ಗೆ ಕೈಗೊಳ್ಳತಕ್ಕೆ ಕ್ರಮ ಏನು ಎಂಬುದನ್ನು ಹೇಳಬೇಕಾಗುತ್ತನೆ.

ಶೀ ಚು. ಸುಬ್ಬಯ್ಯಶೆಷ್ಟಿ.—ಆದನ್ನು ಆಗ ಹೇಳ ವುವಕ್ಕೆ ಬರುವುದಿಲ್ಲ. It is purely hypothetical question. Unless you know what you say is correct, I cannot answer that question.

್ರೀ ಹೆಚ್. ಡಿ. ದೇವೇಗೌಡ. --ಅಧ್ಯಕ್ಷರೇ, ಮಾನ್ಯ ನವನ್ಯರಾವ ಕಾಗೋಡು ತಿಮ್ಮುಪ್ಪ ನವರು ಓರರ್ ಇನ್ ನ್ರುಕ್ಷರ್ ವೇರೆ ತಡೆ ಹಿಡಿದಿದ್ದಾರೆ ಎಂದು ಹೇಳುತ್ತಿದ್ದಾರೆ. ಅದ್ದ ನಿಂದ ಇದಕ್ಕ ಯಾರು ಕಾರಣಾತರ್ತರು ಇದ್ದಾರೆ ಎಂಬುದನ್ನು ತಿಳಿಸಬೇಕಾಗುತ್ತದೆ ಓರರ್ ಇನ್ ನ್ನುಕ್ಷರ್ ಪ್ರಕಾರ ಏನಾದರೂ ಅಧಿಕಾರಿಗಳು ನಡೆದಿದ್ದರೆ. ಅವರ ಮೇಲೆ ಬಿಗಿಯಾದ ಕ್ರಮ ತೆಗೆದು ಕೂಳ್ರಬೇಕಾಗುತ್ತದೆ.

ಕಾಗಿಂಡು ತಿಮ್ಮಸ್ಥ, —ಅಧ್ಯಕ್ಷರೇ ಮಾನ್ಯ ಮಂತ್ರಗಳು ಅವರ ಹೇಳಿಕೆಯುಲ್ಲ ರಿಟರ್ನ್ ಇನ್ನು ಕ್ಷನ್ ಕೂತಿ ಸಾರೋ ಅಥವಾ ಹಿರರ್ ಇನ್ನುತ್ತನ್ ಕಾಟ್ಕಿದ್ದಾರೋ ಅವರ ಬಗ್ಗೆ ಏನೂ ಹೇಳಿಲ್ಲ. ಅವರ ಬಗ್ಗೆ ಮೋಗಮ್ ಆಗಿ ಇಟ್ಟಿದ್ದಾರೆ. He must also clarify the point. The Government issued instructions to the District Magistrate South Kanara and the Superintendent of Police etc., whether these instructions are written instructions or oral? It is sitent here. And also you please tell us the date of such instructions issued.

- S.i B. Subbayya Setty.—Instructions are always written. There is no oral instruction.
- Sri H.D. DEVEGOWDA. When was the Government order issued? Please read out all the papers.
- Sri B. SCBBAYYA SHETTY.—In the present Call Attention Notice, I don't know whether I have to read out all the papers at this stage.
- Sri K. PUTTASWAMY.—Madam speaker, this raises a very important point.

In the written reply the Hon. Minister referred to the instructions issued. According to Sec. 15 of the Act. Government will have to pass orders after hearing the party. Another point is that the Minister has got the doubt as to whether the provision of Sec. 15 has been followed or not. He should be in a position to state whether provision of Sec. 15 has been followed or not. In the light of the ethicgs, I think the answers the Hon'ble Minister is giving are incomplete. Therefore I may respectfully submit to the Hon. Minister through you Madam, that the entire question may be held over so that the Minister may come prepared with all the details.

- Sri B. Subbayya Shetty.—There is no question of getting information Instructions have been issued. Further I said that I oild get it examined.
- Sri. K. Puttaswamy.—The very fact that instructions have een issued whether it is oral or written clearly shows that the Government have passed orders suspending the exhibition of this film in South Kanara District.

The Hon'ole Minister says that the party is entitled to go to Court. This is not the way of answering on the floor of the House. I very respectfully plead through you Madam Speker, Hon'ble Minister is highly importanent. We, the critice is have right to go to Court, but the G vernment must take all the steps to prevent any opportunity and not give any scape to the circumst to go to Court and challenge this Order. They should exhibit their carefulness

Sti B. SubbanyaShetty.—I entirely agree with the hon'ble Member that the G verment have to exhibit relevant material before the Chair in deciding the questions But what I said I think the Hon'ble. Member Sri Puttaswamy has mis understood me completely. It is not that I am advising anybody to go to Court or not. When the Members mentioned about certain things and when he questioned about whether the rule men ioned Section 15 has been followed or not. I said that the Government is definitely going to examine that

14TH JUNE 1977 91

question. For that he said that it has not been followed. In that case, it is a question to see whether it has been followed or not to take further step.

ಶ್ರೀ ಕಾಗೋಡಂ ತಿಮ್ಮಪ್ಪು --ನಿಮ್ಮ ಸ್ಟೇಟ್ ಮೆಂಟಿನಲ್ಲಿ ಇನ್ ಸ್ಟ್ರಕ್ಷನ್ ಕೊಡೆಬೇಕಾದರೆ ಸರ್ಕಾರ ಆಜ್ಞ ಹೊರಡಿಸಲೇಬೇಕು ನೀವು ಕೊಟ್ಟಿರತಕ್ಕಂಥಾದ್ದು ಓರಲ್ ಇನ್ ಸ್ಟ್ರಕ್ಷನ್,ಅಥವಾ ರಿಟರ್ನ್ಇನ್ ಸ್ಟ್ರಕ್ಷನ್ ಆಜ್ಞೆ ಹೊರಡಿಸಿ ಇನ್ ಸ್ಟ್ರಕ್ಷನ್ ಕೊಟ್ಟಿದ್ದೀರು ಅಥವಾ ಬಾವ ರೀತಿ ಕೊಟ್ಟಿದ್ದೀರಿ ಎಂಬುದನ್ನು ದಯವಿಟ್ಟುತಿಳಿಸಿ, When you are making a statement the Hon'ble Minister must come with all the connected files.

ಶ್ರೀ ಕೊಣಂದೂರಂ ಲಿಂಗಪ್ಪ.—ಇನ್ಸ್ಟ್ರಕ್ಷನ್ ಕೊಟ್ಟಂತಹ ತಾರೀಕು, ವೇಳೆ. ದಿನ ಹೇಳಿರಿ.

Sri K. Puttaswamy.—Consequent on the passing of Government Order, instructions would be issued to the officials. He refers only to the instructions that means no vaild order has been passed ap.rt from following the provisions of this Act. I want to know from the Hon. Minister straight away, whether a Government order has been passed and if so, on what date and what are the contents of the Order.

Sri B. Subbayya Shetty.—All the relevant papers are not with me at present. There is nothing to hide in it.

MADAM SPEAKER -- Then the Hon'ble Minister may make a statement after two days

ಶ್ರೀ ಕಾಗೋಡು ತಿವ್ಮುಪ್ಪ.—_ತಾವು ಹೇಳಿದ್ದೀರಿ ಅದನ್ನು ಮಾನ್ಯ ಮಂತ್ರಿಗಳು ಹೇಳಬೇಕು. ಆಧ್ಯಕ್ಷರು.—ಬಹುಶ: ಅವರು ಅದನ್ನೆಲ್ಲಾ ತಂದಿಲ್ಲಾ ಅಂಥ ಕಾಣುತ್ತೆ ಅದನ್ನೆಲ್ಲಾ ತರಿಸಿ ಸ್ಟೇಟ್ ಮೆಂಟ್ ಮಾಡುತ್ತೇವೆಂದು ಹೇಳಿದ್ದಾರೆ.

Sri B. Subbayya Shetty.—I have agreed with the hon. Member as I said and I am bound by the Ruling of the Hon'ble Speaker.

Sri H.M. CHANNABASAPPA.—When the Hon'ble Speaker has given a Ruling that Hon. Minister will make a statement of facts sometime in the course of couple of days. It is too much to demand.

Sri KAGODU THIMMAPPA — The Hon Minister may advice the concerned Ministers and the Department concerned

ಆಧ್ಯಕ್ಷರು. –ನಾನು ರೂಲಿಂಗ್ ಕೊಟ್ಟಾದ ಮೇಲೆ ಮತ್ತೆ ಕೇಳಬೇಡಿ,

(ii) re. Scarcity of drinking water in Athani town

Sri A A. DESAL- I Call the attention of the Hon. Minister for Municipal Administration regarding scarcity of drinking water in Athani Town.

Sri D.K. NAIKAR (Minister for Municipal Administration and Political Pensions).—I beg to State as follows.

The Scheme for providing water supply to Athani town was administratively approved under Government Order No. LLH 139 TWD 57 dated 19-7-1959 for Rs. 13,42,135-under 'Q' Loans and